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Adam Raethke

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORLAND DIVISION

ROBERT BARROR,

Case No. 3:20-cv-00731-SB

Plaintiff,

v.

CITY OF SAINT HELENS, and ADAM
RAETHKE, in his individual capacity,

**DECLARATION OF BRIAN HARVEY
IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Defendants.

I, Brian Harvey, declare as follows:

1. I am an expert retained by Defendants. I make this Declaration in support of Defendants' Motion for Summary Judgment. I am above 18-years of age and I have personal knowledge of the facts stated herein and am competent to testify to the matters herein.

2. Attached as Exhibit 6 is a true and accurate copy of my *Curriculum Vitae*.

Page 1 DECLARATION OF BRIAN HARVEY IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

CIS140.00007

3. Attached as Exhibit 7 is a true and accurate copy of my report dated October 28, 2022. This report contains my opinions and analysis of the materials I reviewed for this case. Each of my opinions is based on a reasonable degree of certainty.

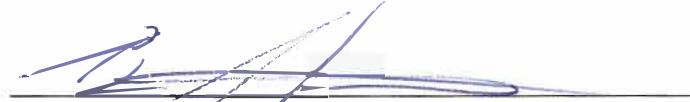
4. I was retained by Chock Barhoum, LLP, to review the police reports, video footage, and deposition testimony. Based on my review of these materials I do not believe that Officer Raethke used excessive force during his interaction with the Plaintiff, Robert Barror.

5. If called to testify at trial, I would testify consistent with my findings and analysis as outlined in my report (Exhibit 7).

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT THE FOREGOING IS TRUE AND ACCURATE.

DATED this 20 day of November, 2022.

CHOCK BARHOUM LLP



Brian Harvey